

### **REMARKS/ARGUMENTS**

At the outset, the Applicant appreciates the thorough review and consideration of the subject application. The Final Office Action of March 21, 2008, has been received and its contents carefully noted. By this response, no claims are amended, claim 25 is cancelled without prejudice and no claims have been added. Accordingly, claims 1-12 and 23-24 remain pending in the application. No new matter has been added. In view of the following Remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

### **REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

Claims 1-7, 10-12 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,059,672 by Zeiner-Gundersen ("Zeiner") in view of U.S. Patent No. 3059926 by Johnstone ("Johnstone") or U.S. Patent No. 5,283,732 by Mauritz ("Mauritz") in further view of U.S. Patent No. 5,898,484 by Harris ("Harris") or U.S. Patent No. 5,933,224 by Hines ("Hines"). Claims 1-5, 8-12 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,294,110 by Jenkins et al. ("Jenkins") in view of Johnstone or Mauritz in further view of Harris or Hines. Claims 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zeiner in view of Harris or Hines in further view of Johnstone or Mauritz and in further view of Jenkins or U.S. Patent No. 4,136,394 by Jones. Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins in view of Harris or Hines in further view of Zeiner or U.S. Patent No. 5,779,566 by Wilens. Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins or Zeiner in view of

Harris or Hines. The Applicant respectfully traverses these rejections in light of the following remarks.

The response of March 21, 2008 argues that in light of the Supreme Court's decision in KSR, the improvement of the present invention of using a laser rangefinder over mil-radian process for range determination is implicit. The Applicant respectfully disagrees. A laser rangefinder is inherently more accurate than an optical mil-radian approach, and the advantages of the present invention go beyond a simple increase in accuracy. The present invention's incorporation of a laser rangefinder expands the applicability of the invention. For example, the inventions of Jenkins and Zeiner are only useable when either the flag or some other object of known height is visible. Many holes on a golf course are designed in such a manner that the pin cannot be seen from the tee thus making the inventions of Jenkins and Zeiner useless. The present invention, by use of a laser rangefinder, enables a user/golfer to accurately ascertain distance to any point on a particular hole. This is a significant advantage over the prior art. Golf often calls for decisions regarding where to place a shot. For example, one may have the option to lay up in front of a hazard or attempt to go over a hazard such as a creek. Knowing the exact distance to a position in front of the creek enables a player to place his shot rather than rely on an estimate from a playbook or a distance marker. In addition, the new found accuracy enables otherwise poor estimates to become realistic expectations of where the next shot may lie. The present invention thus improves the art in many significant and unpredicted ways.

Independent claims 1 and 23 both refer to the determination of a range to a point on a golf course using a laser rangefinder. In light of the argument presented above and the fact that the prior art is silent as to this feature

claimed by the present invention, the Applicant deems claims 1 and 23, as well as those claims that depend therefrom, patentable.

**CONCLUSION**

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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